

State of New York
Court of Claims

Vidal Whitley

x

9:15-cv-377

Claimant,

-against-

NOTICE OF INTENTION

TO FILE A CLAIM

New York State Office of Mental Health/NYDOCS

Defendant(s).

NY Psychiatric Center, MOP, Lection, Prescribers Tourtelot, Jill Grover
Rebecca Jeffrey, Frank Lloyd, Constable, MS Lannatos - Chief Clerk, I.C. Coffey
TO: THE CLERK OF THE COURT OF CLAIMS Unit Chief Krawie I. Coffey
TO: THE ATTORNEY GENERAL OF THE STATE OF NEW YORK MS. Gaffins - ms Brown Unit Chief John
Jill Grant ms Gilmore Waldon
Debra Minning ms Grizzanti McDowell

Sir or Madam:

PLEASE TAKE NOTICE, that the undersigned Vidal Whitley,
intends to file a claim against the State of New York, pursuant to Sections ten (10) and eleven
(11) of the Court of Claims Act.

The post office address of the claimant is: Southport Correctional Facility 236 Bob Masia
Drive, P.O. Box 2000 Pine City, New York 14871-2000.

The Claimant is submitting this Notice of Intention to File a Claim Pro Se.

The time when, the place where, and the manner in which the claim arose, are as follows:

The claim arose on 11-25-2013, 20 13, at the following location:

NY STATE Correctional Facility DEC 2013
NYC Correctional Facility, Freshkill Correctional Facility, Downstate
Correctional Facility, Clinton Correctional Facility
(USE ADDITIONAL PAPER WHERE NECESSARY)

When the following event occurred: _____

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I was in midstate S-Block Zoo and it was because some one sent K-2 in my name in a package to set me up ms Grazanei a Social Worker for om H came to question me about the situation at hand I told her I didnt know what was going on or why I had been brought to the Box & She replied why I had been brought to the box & insisted that I knew of illegal happenings once she pressed a few more times it became clear to me this lady ms Grazanei had it out for me through her very unprofessional actions ms Grazanei had my medication stopped to try & derail my mental stability & health then when I began writing ms Grazanei about me not getting my medication she met with me a few times and while I thought our meetings were fine the whole time ms Grazanei was writing 100% percent PURE LIES on me in her footnotes in my om H files saying & being that I asked her her marital status and that I asked her what color finger nail polish she had on as if I could just tell myself By looking further more my defense is there officers if not more in every S-Block Zoo In the state of New York If I were indeed ~~if~~ I wasnt making any comments however if I were making comments its very mind boggling that Psychiatrist ms Grazanei did not open the door on the interview booth & notify an officer(security) That I was allegedly coming on to her instead she chose to write these lies in my file and

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MS Grazzelli also failed to author a misbehavior or such actions however she wrote these lies in my file I went for almost 9 month without my medication for mental Health ILLNESS — Bipolar Depression - Anti social personality DISORDER I take Celixate 750 milligrams after weeks of being denied my medication I was put on a call out to see medication subscriber MS Tourtelot when she came in the room & started yelling & screaming I was scared & alarmed because I didn't know if she was going to have the guards JUMP ME & beat me as she was screaming you coming on to my staff by I said I didn't come on to anyone what you talking about MS Tourtelot

- MS Tourtelot said you know you didn't why don't you just admit to it which I said I didn't come on to anyone who are you talking about then this is where & when I found out

that this lady ms Grazzelli had indeed lied on me MS Tourtelot said so you didn't come on

To MS Grazzelli I said no she's not even my type MS Tourtelot then said well as a punishment for coming on to my

STAFF I'm stopping your mental health
medication I stated that she could not do this
this is not only violating my mental health patient
Bill of Rights & responsibilities as well as state

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& Federal Law's MS Tourtelot stated she would fix the paper work to say I refused my medications 4 times & that if I don't like it write & I give her & then she told the CO's to come & get me out of her face because I was making her sick needless to say I never received my medication another time long as I was in mid state correctional facility
DECEMBER 2nd 2013 I was released from the STC & I went to Mercy Correctional Facility across the street that night I spoke with a social worker/psychiatrist named Carrie Sangpietro
I explained to her all that I explained here in this honest document & Carrie Sangpietro said well Mr Whithell it doesn't say anywhere in your file that your medication has been discontinued just come down here to the infirmary during AM program run & they'll have your medication for you
I done as directed by ms carrie sangpietro so for weeks every day every morning I was
taking my medication then I was put on a mental health call out all of A sudden by Jill Carver I went & soon as I got in the Room ms carver said to dont think I'm not aware of what you did in mid STATE to ms Grazanei fed up with this whole previous false situation I said listen what did you ~~call~~ me down here I ain't come on to nobody ms Carver said well since you asked me whithell I've known ms Tourtelot for along

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Time & She was a good friend of mine so I'm going to support my friends decision & Now I AM restoring your medication indefinitely &
I told her she was violating my rights
& breaking the law also & she (ms carver) told
me the same thing to write it up Give
her who cares & you she sent me back
to my DORM C-1 I went to tell the CO
who was working my dorm that day what
I had just taken place he had a dislike for
it as well called & asked if I could be seen
by a Doctor I was sent back to the
Infirmary then Ms Jill Carver came back
in the room acting as if she didn't
just see me & she asked me a [REDACTED]
rhetorical question (what's wrong ms whitley)
I said you know what's wrong you violating
me & now you're blocking me from seeing the
doctor because you know the degree of
misconduct you & your peers have bestowed
upon my person we clashed & got into a
further big argument & Officer Brandon
sent me back to C-1 Dorm in Mercy
Correctional Facility so weeks go by
& I'm not being administered my medication
properly or at all to be more specific & when
this happened I got myself into some trouble
mainly because I didn't use better judgement
In a situation where the powers that be instigated it

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notwithstanding I was thrown into the Box & during my hearing I was violated in more ways then one
 In fact it all can be heard on Hearing Tape #8171
 you'll be able to hear the unfairness & most of 911
you'll hear Sergeant Marshall say when I dealt with you
at the dorm to see you later on at the gym you were
2 different people I tried to get the sergeant to elaborate however he knew where I was headed & he also recognized he had shot himself in the foot being that I suffer from BiPolar & severe mood swings & as he said sometimes seeming like I'm 2 totally different people which would of occurred had I been on my medication as scheduled I was then sent from marcy Correctional facility Box to GOVERNOR'S Block 200 which is mind boggling because this B-Block is in the water tower HUB & this whole entire Hub doesn't deal with mentally ILL inmates I was never suppose to be sent up there any way we found this out once the nurse was reading my file & started asking me questions with the sergeant & they found out that I'm a level 2 OMH patient & the nurse said what's marcy thinking sending me to them & then the nurse seen where the underhand-for play came in my OMH level I was dropped from 2 to 6 IN ONE DAY AND THAT'S NOT how that process works AT ALL Then I was put on a bus that same night & taken to Auburn Correctional Facility put in OBS seen by Doctor Reynolds

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ms Grosso & they got my records & files and they put my level from the previous 6 to the OMT Level 3 & they don't have enough time with me so they told OMT IN Fishkill to finish cleaning up MS Touretes & MS Jill Carter & ms Graziano's mess its W95 to my benefit that I had left Fishkill 5-block 200 months ago July 9th 2013 so it wasn't hard for Rebecca Jaffey to fix as well Frank Libow they got my level fixed back to Level 2 taking back my OMT Level they had to adjust it to 2 because of the medication I took & the 1st time I left Fishkill my diagnosis were Bipolar depression Anti Social personality after these ill things were done to me my diagnosis have been messed up every since I have records & documents to support my claims now I explained all of these things to Rebecca Jaffey & I believe it took it to unit chief knowse my please went unanswered during the night shift I spoke with a officer & was told I was on the D list I was going to Clinton I attempted suicide to not go to Clinton because the 1st time I was in Clinton I didt happen 2011 Aug 23rd & I was Blamed after found not to be guilty of all in the slightest bit now originally I was sentenced to 36 months by a miller then before I left I was told

If I ever come back to their jail I would be killed or hurt really bad to say the least I appealed it & it was modified for 18 months then I served 15 of the 18 months & it was administratively reversed I sued for \$2,160.00 Dollars & I won however I said that to say I ended up leaving Fishkill S-Block & going to Downstate Correctional Facility on 9/0/14 to Detain Court I told the OMT committee listen Officers in Clinton Correctional Facility are going to hurt me or kill me they basically blew me off I went to Clinton & suffered 2 STAFF ON INMATE ASSAULTS ONE ON 6-23-14 6-26-14 I was put behind ~~a glass shield~~ illegally constantly confined & these officers were even urinating in my food & doing other things to my food as well that I rather not speak of it was a really tough time for me in life my mail was being intercepted appeals to CORC my notice of intents that I'm sending now I've been battling two poisons they way grievance to get these intents to the Govt I asked for intents to certain courts they send me the intents they want to send me mail from home its not making it to me & my mail isn't making it to my family I put documents about medical & mental health to my lawyers the courts & the

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was stolen out of the facility mail here at South Port Correctional Facility they have also been blocking me from purchasing my medical Records that would show clearly about other Incidents that have taken place that I have been getting illegally harmed by these people (etc)

To jail I was a victim of a staff on inmate assault of Fish kill that hurt me as well these people cover up throw away Documents like Documents for each other but Gods going to reveal these things All these things for me while in Clinton Correctional Facility ms Lantos use to set me up for the officers & she would get me in a secluded area for them & that's where they would assault me ms Lantos works for BMH in Clinton & she done a lot of mean ~~unprofessional~~ professional things to me & They got me hurt really bad & The Doctor use to turn a blind eye & then I was brought here to South Port & I told ms Dallyen & chief ms Watkins ms Gilmore & ms Brown all of the things that are in this letter I wrote Mayleen Fisco T. H. Grant Deborah Manning court less time notifying them all of these things Jason Waldron unit chief of Clinton included & nothing they all turned a blind eye to it & my eyes went

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unanswered many of days then I sent my
official grievance to Commissioner Michael F Hogan
I'm still waiting to hear back from Commissioner
him or someone representing the
Office of Mental Health SO
& I'm due to be released from
Special Housing Unit 2-26-15 So this is 10000
9:50. et synopsis of what happened & how I
was violated ~~utterly~~ & disrespectfully. Thank you
@ for your time You all have a nice day Good
bye God bless you all --

Sincerely Michael Anthony,
10B2619 DEN
CELL 8-10-4
2-29-2015



(USE ADDITIONAL PAPER WHERE NECESSARY)

The items or injuries claimed are as follows: _____.

Vidal Whitley
Din. # 1050619
Claimant, Pro-Se
Southport Correctional Facility
236 Bob Masia Dr., P.O. Box 2000

State of New York
Court of Claims

Pine City, N.Y. 14871-2000

Vida Whitley

Claimant,

Claim

-against-

NY Docs / New York State Office of Mental Health

Claim No. _____

Defendant(s).

Medication subscriber Mrs Taylor lot Psychiatrist J. H. Carver, msurien Bosco, Reb C. G. Tufty
Frank Labay, Unit Chief Terawsl, Downstate OMH, Psychiatrist Lanclos
Unit chief Christine Doherty, Unit Chief Joanne Waldron, ms Watkins, ms Brown
ms Gilmore Jill Grant
Claimant, Vida Whitley, appearing Pro-Se, complaining of defendant,
NY Docs / Office of mental health, NY Psychiatric Center alleges the following upon information and belief:

- 1- The Post Office address of the claimant is: Southport Correctional Facility 236 Bob
Masia Drive, P.O. Box 2000 Pine City, New York 14871-2000.

(USE ADDITIONAL PAPER WHERE NECESSARY)

- 2- This claim arises from acts or omissions of the defendant. Details of said acts or omissions
are as follows: I violated my mental health patient Bill of Rights
& responsibilities as well as mental hygiene Law State
& Federal Guidelines

- 3- The place where the act(s) took place is: Midstate Correctional Facility Schuyler
maxif correctional facility general population & Box Fishkill-Buck
400 Clinton Correctional Facility unit 14 13 cell company down
4- The claim accrued on Various Dates at Midstate Correctional Facility as
well

5- (Check the appropriate box)

This claim is served and filed within 90 days of accrual.

OR

A Notice of Intention to File a Claim was served on which date was within 90 days of accrual.

OR

This is a Claim by a correctional facility inmate to recover damages for injury to or loss of personal property and it is served and filed within 120 days of exhaustion of claimant's administrative remedies.

(USE ADDITIONAL PAPER WHERE NECESSARY)

By reason of the foregoing, Claimant was damaged in the amount of \$50,000.00.
claimant demands judgment against the Defendant(s) in for said amount.

The claim arose for mental Health so called professionals Violating state & federal alike Laws AND OR Rights & Responsibilities of a mental Patient (me) On the level 2 while being property of New York STATE 95 Well Q5
Administrating cruel & unusual punishment
To myself hiding destroying my mental health Records
To cover up misconduct & unprofessionalism of STAFF
OR CIV. 101975 Negligence deliberate Indifference

Global Outlets

Din: # 1082619

Claimant, Pro-Se
Southport Correctional Facility
236 Bob Masia Dr., P.O. Box 2000
Pine City, N.Y. 14871-2000

VERIFICATION

STATE OF NEW YORK)
)SS:
COUNTY OF CHEMUNG)

Elidel Whitley; being duly sworn, deposes and says that deponent is the Claimant in the within action; that deponent has read the foregoing Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes it to be true.

Elidel Whitley
Inmate, 1082619
Din. # 1082619
Claimant, Pro-Se
Southport Correctional Facility
236 Bob Masia Dr., P.O. Box 2000
Pine City, N.Y. 14871-2000

Sworn and subscribed to before me on

this 26 day of February, 2015.

Robert T. Abrams
Notary Public, State of New York
Qual. in Chemung Co. No. 01AB6114504
Commission Expires August 16, 2016

SERVICE AND FILING INSTRUCTIONS

You must serve a copy of the claim in accordance with Court of Claims Act section 11(a) and you must file the original and two copies, with proof of service and the filing fee of \$50.00 or an application for waiver or reduction of the filing fee, with the Clerk of the Court of Claims within 90 days of accrual of the claim (120 days in the case of an inmate claim for loss of or damage to personal property).

FAILURE TO EFFECT PROPER AND TIMELY SERVICE AND FILING MAY RESULT IN DISMISSAL OF YOUR CLAIM

New York State Court of Claims
Justice Building, Capitol Station, P.O. Box 7344
Albany, New York 12224

State of New York
Court of Claims

Vidg Whitley

Claimant,

-against-

VERIFIED BILL OF PARTICULARS

OAG NO. _____

NEW YORK STATE
DEPARTMENT OF CORRECTIONAL SERVICES,

NY Docs / NY Office of Mental Health - Marcy Central NY Psychiatric Hospital / Maureen Borsig - MS G929101 - Medication subscriber MS
Towlebot - Psychiatrist JILL GRANGER - Psychiatrist REBECCA Taffey
Psychiatrist FRANC LIBOYER - Psychiatrist KAREN - Unit chief Joann Waldron - MS Unit
Psychiatrist CHRISTINE O'NEIL - MS Working

In accordance with Section 3041, Rule 3042, Rule 3043, et seq. of the Civil Practice Law and Rules, the claimant, Vidg Whitley, hereby furnish the following Verified Bill of Particulars in support of the enclosed claim.

100ay downstate collective
officer Facility on H commissary
Jill Grant Debby Manning

1. Set forth the name, current address, Department Identification Number (DIN) of the claimant. Vidg Whitley, DIN # 1082619, Southport Correctional Facility 236 Bob Masia Drive, P.O. Box 2000 Pine City, New York 14871-2000.
2. Set forth the date of the occurrence of the event in issue. Various dates & coming
3. Set forth the exact location of the occurrence in question. Downstate - Marcy Fishkill
Downstate - Clinton - Southport
4. Specify the following information with respect to each item claimed to be missing:

Item 1:

Nature of the item:

Date of purchase:

Place of purchase:

Original purchase price:

By whom purchased:

How acquired if not purchased:

General condition of item at time of alleged loss: